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10 *Counsel for Co-Lead Plaintiffs and
Class Counsel*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

16 IN RE AIMMUNE THERAPEUTICS, INC.
SECURITIES LITIGATION

Master File No. 3:20-CV-06733-MMC

**[PROPOSED] ORDER
AWARDING ATTORNEYS' FEES
AND EXPENSES AND SERVICE
AWARDS TO PLAINTIFFS**

1 WHEREAS, an action pending before this Court is styled *In Re: Aimmune Therapeutics,*
 2 *Inc. Securities Litigation*, 3:20-cv-06733-MMC (the “Action”);

3 WHEREAS, on March 7, 2025, the Court entered an Order: (i) preliminarily approving the
 4 Settlement and the proposed forms and methods of providing notice to the Class; (ii) providing
 5 Class Members with the opportunity to object to the Settlement, Class Counsel’s application of
 6 attorneys’ fees and expenses, and Plaintiffs’ application for service awards; and (iii) setting a
 7 hearing on final approval of the Settlement for July 18, 2025, at 9:00 a.m. (“Preliminary Approval
 8 Order”);

9 WHEREAS, the Court conducted a hearing on July 18, 2025 (“Fairness Hearing”) to
 10 consider, among other things: (i) whether Plaintiffs and Class Counsel have adequately represented
 11 the Class; (ii) whether the Settlement, on the terms and conditions provided for in the Stipulation
 12 of Settlement, is fair, reasonable, and adequate, thus warranting final approval; and (iii) whether
 13 Class Counsel’s requested attorneys’ fees and expenses and Plaintiffs’ requested service awards
 14 are reasonable and should be approved; and

15 WHEREAS, it appearing that notice of the Settlement and the Fairness Hearing has been
 16 given in accordance with the Preliminary Approval Order; the parties having appeared by their
 17 respective attorneys of record; the Court having heard and considered evidence in support of Class
 18 Counsel’s request for attorneys’ fees and expenses and Plaintiffs’ request for service awards; the
 19 attorneys for the respective parties having been heard; an opportunity to be heard having been
 20 given to all other persons or entities requesting to be heard in accordance with the Preliminary
 21 Approval Order; the Court having determined that the Notice to the Class was adequate and
 22 sufficient; the Court having found that the requests for attorneys’ fees and expenses and service
 23 awards are fair, reasonable, and adequate and otherwise being fully informed in the premises and
 24 good cause appearing therefore:

25 NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, as
 26 follows:

27 1. Unless otherwise defined in this Order, the capitalized terms used herein have the same
 28 meanings as in the Stipulation of Settlement (“Stipulation”) dated January 17, 2025 (ECF 244-1).

1 2. The Court has jurisdiction over the subject matter of this application and all matters relating
2 thereto, including all Class Members who have not timely and validly requested exclusion.

3 3. The Court hereby awards Class Counsel attorneys' fees of _____ of the
4 Settlement Amount or \$_____, plus litigation expenses in the amount of
5 \$_____, together with the interest earned thereon for the same time period and at
6 the same rate as that earned on the Settlement Fund until paid. The Court finds that the amount of
7 fees awarded is fair and reasonable under the "percentage-of-recovery" method given the
8 substantial risks of non-recovery, the time and effort involved, and the result obtained for the Class.
9 The Court additionally finds that the costs and expenses were reasonably incurred in the ordinary
10 course of prosecuting this Action and were necessary given the complex nature of the Action.

11 4. The Court approves service awards to Plaintiffs Bruce Svitak, Barbara Svitak, and Cecilia
12 Pemberton in the amount of \$_____ for each Plaintiff. This award is reasonable and
13 justified given: (i) the time and effort expended, the work performed, and the active participation
14 in the litigation and settlement processes by each Plaintiff; (ii) the benefit to the Class due to each
15 Plaintiff's actions on their behalf; and (iii) the length of the case.

16 5. The awarded attorneys' fees and expenses and interest earned thereon shall immediately
17 be paid to Class Counsel subject to the terms, conditions, and obligations of the Stipulation, which
18 terms, conditions, and obligations are incorporated.

19 **IT IS SO ORDERED.**

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21 Dated: _____

22 MAXINE M. CHESNEY
23 UNITED STATES DISTRICT JUDGE
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